

Docket No. 10016600-1

**RECEIVED
CENTRAL FAX CENTER
JUL 24 2006****Remarks**

This communication is responsive to the Final Office Action of May 24, 2006.
Reexamination and reconsideration of claims 1 and 3-22 is respectfully requested.

Summary of The Office Action

Claims 1, 3-5 and 16-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara et al. (US 6,994,428) in view of newly cited Furukawa et al. (US 2001/0019953).

Claims 6-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara and Furukawa and further in view of Kim (US 2001/0031043).

Claims 11-15 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara and Furukawa and further in view of Borella et al. (US 6,697,354).

The Claims Patentably Distinguish Over The References Of Record

Claims 1, 3-5 and 16-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara et al. (US 6,994,428) in view of newly cited Furukawa et al. (US 2001/0019953).

Independent Claim 1

The Office Action states on page 2 that Hagiwara discusses sending an error notice to a mobile device but fails to teach a controller that can receive a corrective command and execute a correction action. The Office Action on page 3 cites Furukawa paragraphs [0105]-[0107] as teaching a controller to execute a corrective action in response to the corrective command to address the error status. Applicant respectfully submits that the cited paragraphs of Furukawa fail to teach or suggest the recited feature of claim 1. Rather, paragraphs [0105]-[0107] describe a process where communication between the cell phone 9 and the printer 21A is performed by email messages, not by a telephone call. Furthermore, Furukawa teaches that the process is

Docket No. 10016600-1

initiated by the user, not by the printer, and not in response to an error status. Thus, Furukawa fails to cure the shortcomings of Hagiwara and fails to establish a prima facie obviousness rejection.

In particular, the example embodiment associated with Furukawa paragraphs [0105]-[0107] starts at paragraph [0103]. A few excerpts from this embodiment are as follows:

“[0103] Next, an eighth example will be described while referring to FIGS. 14, 22 to 25 and a flowchart shown in FIG. 30. In this example, the user makes setting of the printer 21A of FIG. 14 by exchanging e-mail messages using the cellular phone 9 of FIG. 14. First, the user prepares an e-mail message shown in FIG. 22... Then, the user sends the e-mail message to the printer 21A.” (Emphasis Added)

“[0105] Because the received e-mail message is for requesting settings (S61: YES) in this example, it is judged whether or not the received password is correct (S63). If so (S63: YES), then, an e-mail message 44 shown in FIG. 23 is sent to the cellular phone 9 (S65), and the process is ended. The e-mail message 44 notifies the user of the current settings of the printer 21A. Then, the user changes settings indicated in the e-mail message 44 and prepares an reply e-mail message 45 shown in FIG. 24, and sends the e-mail message 45 to the printer 21A.” (Emphasis Added)

Thus, the cited paragraphs of Furukawa teach exchanging multiple email messages, which is performed via a mail server 14 (see Furukawa [0067]) and not via a telephone call between the phone and the printer. Furthermore once the e-mail notice is sent, the Furukawa process ends with no discussion of a corrective action taken.

Therefore, Furukawa fails to cure the shortcomings of Hagiwara and the combination fails to teach each and every limitation of claim 1. The references fail to establish a prima facie obviousness rejection and should be withdrawn.

Looking to other sections of Furukawa, it describes a number of embodiments that are initiated by a user making a phone call, accessing a homepage or URL, or sending an email to print a document or to make settings. All are user initiated embodiments and not performed by the printer controller. Thus, they do not teach a printer controller determining an error status and transmitting a message using a telephone call to a mobile device. For example, [0059] states

Docket No. 10016600-1

“First, the user makes a telephone call to the electric device 1...”. [0066] states “In this case, the user accesses the homepage...” [0068] states “That is, the user prepares an e-mail message requesting operation condition settings...”

Looking further to Furukawa, it first discusses error conditions in paragraph [0115], which states:

“[0115] First, a process for sending an e-mail message in response to a print data sent on e-mail message will be described. First, the user of the PC 26 generates and sends print data as e-mail message to the e-mail address of the printer 121... The e-mail message is then transmitted via the mail server 102 and the network 112 to the e-mail server 101... Meanwhile the e-mail communication program of the printer 121 accesses the e-mail server, and receives the e-mail message. Then, the printer 121 executes printing based on the received e-mail message. When printing is completed or when any error occurs during printing, then the e-mail communication program detects the e-mail address of the PC user from the e-mail message in a well-known manner, and sends an e-mail message to the PC user notifying the printing completion or error occurrence.”

“[0120] Moreover, the user can set his or her e-mail address for error information indicating errors which are easily recovered, such as paper jam and out-of-paper, and set an e-mail address of a person in charge of the printer 121 for error information indicating any other errors.”

Thus when errors occur, Furukawa teaches that the printer can send an e-mail message to an e-mail address and nothing more. Furukawa fails to discuss taking any corrective action in response to the e-mail error notice (see [0121] to [0129]). Accordingly, Furukawa fails to teach or suggest a feature where a printer controller is configured to receive a corrective command from the mobile device via the telephone call and to execute a corrective action in response to the corrective command to address the error status as recited in claim 1. Thus, combining Furukawa and Hagiwara still fails to teach or suggest claim 1.

Since claim 1 recites features not taught or suggested by the references alone or in combination, claim 1 patentably distinguishes over the references. Accordingly, dependent claims 3-10 also patentably distinguish over the references and are in condition for allowance.

Docket No. 10016600-1

Independent Claim 11

Claims 11-15 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara and Furukawa and further in view of Borella et al. (US 6,697,354).

The Office Action on page 8 cites Furukawa as teaching the recited computer readable program code means for receiving a corrective command from the mobile device via the communication path and for executing a corrective action in response to the corrective command. Based on the previous descriptions of Furukawa, one of ordinary skill in the art would understand Furukawa fails to teach or suggest this feature and fails to cure the shortcomings of Hagiwara and Borella.

Therefore, the rejection is not supported by the references and should be withdrawn. Accordingly, claim 11 patentably distinguishes over the references of record and is in condition for allowance. Dependent claims 12-15 thus also patentably distinguish over the references and are in condition for allowance.

Independent Claim 16

Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara et al. in view of newly cited Furukawa et al.

The Office Action on page 3 rejects claim 16 for similar reasons as claim 1 and cites to Furukawa paragraphs [0105] to [0107] as teaching the recited feature of causing the printing device to execute a corrective action to address the operating status in response to receiving a corrective command from the mobile device via the telephone call.

Based on the discussion of Furukawa above, Furukawa fails to teach or suggest the recited feature. Rather, Furukawa teaches sending an e-mail message in response to an error and then ends. There is no discussion of executing a corrective action in response to receiving a corrective command via a telephone call.

Docket No. 10016600-1

Therefore, the combination of Hagiwara and Furukawa still fail to teach or suggest all elements of claim 16 and fails to support the rejection. The rejection should be withdrawn and claim 16 should be allowed. Accordingly, dependent claims 17-20 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 21

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiwara et al. in view of newly cited Furukawa et al. The same sections of Furukawa were cited and the same rationale was applied as for independent claims 1 and 16.

In view of the previous explanations of Furukawa, Furukawa fails to teach or suggest a controller being configured to execute a corrective action in response to a corrective command received from the mobile device to address the error status. Therefore, Furukawa fails to cure the shortcomings of Hagiwara and the rejection is not supported by the references.

Since claim 21 recites features not taught or suggested by the references alone or in combination, claim 21 patentably distinguishes over the references.

§103 Rejection of Claims 6-10

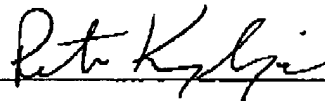
Claims 6-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hagiwara and Furukawa and further in view of Kim (US 2001/0031043). Claims 6-10 depend from claim 1, which has been shown to patentably distinguish over the references of record. Accordingly, claims 6-10 also patentably distinguish over the references of record and are in condition for allowance.

Docket No. 10016600-1

Conclusion

For the reasons set forth above, **claims 1 and 3-22** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,



PETAR KRAGULJAC (Reg. No. 38,520)

(216) 348-5843
McDonald Hopkins Co., LPA
600 Superior Avenue, E.
Suite 2100
Cleveland, OH 44114